In re Appln. of Etienne Annic
Application No. 10/541,689
Response to Office Action of March 30, 2010

Amendments to the Drawings:

Attached is a replacement sheet of drawings that amends FIG. 1 and FIG. 2, as described below. No new matter is introduced by these drawing amendments.

FIG. 1 and FIG. 2 are changed to remove the reference character "2" because the reference character "2" is not mentioned in the description.

Attachments: One (1) Replacement Sheet of Drawings

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REMARKS

The following remarks are responsive to the Office Action of March 30, 2010 (*Office Action*). At the time of the *Office Action*, claims 1–14 were pending. The status of the application is as follows:

- A Revocation of Former Powers of Attorney and new Power of Attorney by Assignee of Entire Interest was filed on September 4, 2008 in the U.S. Patent and Trademark Office, designating Drinker Biddle & Reath LLP as Attorneys in the instant application.

- The drawings were objected to as failing to comply with 37 C.F.R. § 1.84(p)(5).

- Claims 2–6 and 10–14 were objected to for various informalities.

- Claims 1–5, 7–11, and 13 were rejected under 35 U.S.C. § 102(e) as being anticipated by Lenz et al. (US Patent No. 7,339,690, hereinafter *Lenz*).

- Claims 6 and 12 were rejected under 35 U.S.C. § 103(a) as obvious over *Lenz* in view of Knauft et al. (U.S. Patent No. 6,654,754, hereinafter *Knauft*).

- Claim 14 is was rejected under 35 U.S.C. § 103(a) as obvious over *Lenz* in view of Gebert et al. (U.S. Pat. App. Pub. No. 2002/0111963, hereinafter *Gebert*).

Applicant herein amends FIGs. 1 and 2 by inclusion of a replacement drawing sheet, amends claims 1, 2, 4–6, 9, 10, and 14, and cancels claim 3. Applicant presents discussion below distinguishing the claims of the application from the art cited against them.

Power of Attorney

On September 4, 2008, Assignee of Entire Interest filed a Revocation of Former Powers of Attorney and new Power of Attorney designating Drinker Biddle & Reath LLP, Customer Number 08968, as Attorneys in the instant application. The filed documents are included in the electronic Image File Wrapper available on PAIR. However, the U.S. Patent and Trademark Office does not appear to have acknowledged the Revocation of Former Powers of Attorney and new Power of Attorney by Assignee of Entire Interest. For example, the U.S. Patent and Trademark Office mailed the Office Action to prior counsel rather than Drinker Biddle & Reath LLP, is continuing to designate the instant application with prior counsel's docket number rather than the new docket number of "P1934US" as designated by Drinker

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Biddle & Reath LLP, and has not associated the application on PAIR with Drinker Biddle & Reath LLP's Customer Number 08968.

Assignee of Entire Interest respectfully requests that the Examiner acknowledge the Revocation of Former Powers of Attorney and new Power of Attorney by Assignee of Entire Interest filed on September 4, 2008, and take necessary actions to bring the same to full effect within the U.S. Patent and Trademark Office.

Objection to the Drawings

In the objection to the drawings under 37 C.F.R. § 1.84(p)(5), the *Office Action* stated that the drawings "include the following reference character(s) not mentioned in the description: '2' (see Figure 1 & Figure 2)" (*Office Action*, p. 3). Further, the *Office Action* stated that "[c]orrected drawing sheets in compliance with 37 C.F.R. § 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 C.F.R. § 1.121(b) are required" (*Office Action*, p. 3).

Accordingly, Applicant amends FIG. 1 and FIG. 2 to remove the reference character "2". No new matter is introduced by these amendments to the drawings as described herein. Applicant respectfully requests that the objection to the drawings under 37 C.F.R. § 1.84(p)(5) be withdrawn.

Amendments to the Claims

Claim 1 is amended herein to incorporate the subject matter of claim 3 and more clearly recite the subject matter which applicant regards as the invention. Claim 4, which had previously depended from claim 3, is amended herein to depend from claim 1. Claim 9 is amended herein in correspondence with the amendments to claim 1, incorporating some subject matter from claim 10. Claim 10 is thus amended herein to delete the subject matter incorporated into claim 9.

Claims 2–6 and 10–14 were objected to for lack of antecedent basis in the recitation of some limitations. In addition, claim 14 was objected to for containing abbreviations without the terms being abbreviated. Claims 2, 5, 6, 10, and 14 are amended herein in accordance with the Examiner's suggestions. Claim 3 is cancelled herein because the subject matter of claim 3 is herein incorporated into claim 1. Claim 4 is also amended to depend from claim 1 rather than claim 3. No new matter has been introduced by these amendments. Thus, Applicant submits that all objections to the claims have been addressed, and respectfully requests that the objections to the claims be withdrawn.

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Rejection of Claims under 35 U.S.C. §102(e)

Claims 1–5, 7–11, and 13 were rejected under 35 U.S.C. § 102(e) as being anticipated by *Lenz*. The subject matter of claim 3 has been incorporated into claim 1 herein, thus the rejection of claim 3 will be addressed in conjunction with the rejection of claim 1.

In the rejection of claim 3, the *Office Action* stated that *Lenz* discloses (*Office Action*, p. 7):

> wherein in the course of the data writing step, the data is separated (e.g., "parsed", see 7:28-31) into content description data and presentation description data, (see 5:44-49, 7:28-8:20, 8:48-51) and included within the content description data is an addressing indicating the location of the presentation description data of said content description data, (see 5:37-41, 6:19-38, 8:48-51, 9:3-22) and in that the interpretation step comprises a step of retrieving the addressed presentation description data (see 5:37-41, 6:19-38, 8:48-51, 9:3-22).

Applicant respectfully disagrees. Applicant discusses the distinctions between the subject matter of amended claim 1 corresponding to the rejection of claim 3 and *Lenz* below.

1) Lenz does not disclose writing data by means of a content description language, wherein the data is separated into content description data and presentation description data.

Applicant asserts that *Lenz* does not disclose the step of "writing data by means of a content description language, wherein the **data is separated into content description data and presentation description data**" as recited in claim 1 as amended. The *Office Action* on p. 7 equated *Lenz*'s "parse" operation in col. 7 lines 28-31 with the claimed separation of the data into the content description data and the presentation description data. However, Applicant notes that this passage in combination with the other passages from *Lenz* cited in the rejection of claim 3 recites the "parse" operation in reference to the analysis, in the printer, of incoming data depending on their data type. After parsing, the data is routed to an appropriate application in the printer depending on the result of the analysis (see *Lenz*, col. 7, lines 28-39). Applicant submits that *Lenz*'s parse operation is not equivalent to nor suggestive of the separation of data, during the writing data step, into content description data and presentation description data as recited in claim 1 as amended.

2) Lenz does not disclose an addressing indicating a location of the presentation description data of said content description data is included within the content description data.

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Applicant asserts that *Lenz* does not disclose that "an addressing indicating a location of the presentation description data of said content description data is included within the content description data" as recited in claim 1 as amended. The *Office Action* on p. 7 cited col. 9 lines 3-22 (among others) of *Lenz* as disclosing "an addressing indicating the location of the presentation description data of said content description data" included within the content description data. However, Applicant notes that this passage of *Lenz* actually refers to an embodiment illustrated in FIG. 3 of *Lenz* in which "a format embodied on a web page can be . . . generated by a web server 190". This passage of *Lenz* also teaches that the printer "can provide pointers . . . to a remote web server 206 which provides an identification card format" (*Lenz*, col. 9, lines 7-10). *Lenz* further teaches that "[s]uch a remote web server can exist at the manufacturer . . . or at a centralized location" (*Lenz*, col. 9, lines 11-13). Thus, *Lenz* discloses that the printer, not the content description data provided to the peripheral as recited in claim 1, includes the addressing of the remote web server.

3) Lenz does not disclose that an interpretation software hosted within the peripheral uses the addressing to retrieve the presentation description data and uses the retrieved presentation description data to interpret the content description data.

Applicant asserts that *Lenz* does not disclose that "an interpretation software hosted within the peripheral uses the addressing to retrieve the presentation description data and uses the retrieved presentation description data to interpret the content description data" as recited in claim 1 as amended. The *Office Action* on p. 7 cited col. 9 lines 3-22 (among others) of *Lenz* as disclosing "retrieving the addressed presentation description data". Applicant submits that *Lenz*'s disclosure is not equivalent to nor suggestive of claim 1 as amended herein.

In a system such as the one disclosed by *Lenz*, the operation of pointing to a remote web server is a predefined operation wherein the location of the remote web server 206 is predefined and known in advance by the printer. Thus, the remote web server is located at a centralized location or the manufacturer. However, in the invention as claimed in claim 1, the address indicating the location of a remote server which can be used to retrieve the presentation description data is included in the incoming (content description) data received by the peripheral. The interpretation software uses this addressing information to retrieve, from the indication location, the presentation description data.

The features recited in claim 1 are advantageous over *Lenz* in that they provide a more flexible retrieval of presentation description data which do not need to be hosted specifically in a remote server located at the manufacturer or in a centralized location, but can

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be hosted in any server dynamically designated by the addressing indication in the content description data.

These features recited in claim 1 are not only advantageous over *Lenz* in terms of location of the remote server, but also in terms of update flexibility, since they facilitate easily dealing with a situation in which the remote server is moved to another location, such as where the server would have a different IP address. In the system of *Lenz*, however, the pointer to the remote server provided in the peripheral would need to be redefined whenever the remote server 206 is moved to another location.

For at least the above reasons, Applicant submits that claim 1 is novel and nonobvious over the cited art. Applicant respectfully requests that the rejection of claim 1 be withdrawn, and that claim 1 be allowed.

Claims 2 and 4–8 depend from claim 1. For at least the same reasons as those provided for claim 1, Applicant submits that claims 2 and 4–8 are also novel and nonobvious over the cited references. Applicant respectfully requests that the rejections be withdrawn and claims 2 and 4–8 be allowed.

Claim 9 has been amended in a manner similar to that of claim 1 herein, and includes limitations similar to those of claim 1. For at least the same reasons as those provided for claim 1, Applicant submits that claim 9 is also novel and nonobvious over the cited references. Applicant respectfully requests that the rejection be withdrawn and claim 9 be allowed.

Claims 10–14 depend from claim 9. For at least the same reasons as those provided for claim 9, Applicant submits that claims 10–14 are also novel and nonobvious over the cited references. Applicant respectfully requests that the rejections be withdrawn and claims 10–14 be allowed.

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Conclusion

Applicants believe the application is in condition for allowance, and respectfully request that the Examiner pass the application to issue. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned.

Respectfully submitted,

/brian c. rupp/

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Date: June 30, 2010
CH01/ 25561586.1